

**PLANNING COMMISSION – SPECIAL SESSION  
COMMISSIONER’S HEARING ROOM, COUPEVILLE, WA  
MONDAY, MARCH 9, 2015**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers – Chair</i>	
	<i>Dean Enell</i>	
	<i>Karen Krug</i>	
<i>District 2</i>		<i>Jeffery Wallin</i>
	<i>George Saul</i>	
		<i>Vacant</i>
<i>District 3</i>	<i>Wayne Havens</i>	
	<i>Beth Munson</i>	
	<i>Scott Yonkman</i>	

Meeting was called to order at 2:04pm by Chair Hillers.

**ROLL CALL**

Wayne Havens, Karen Krug, Dean Enell, Val Hillers, Beth Munson, George Saul

**ELECTION OF OFFICERS FOR 2014**

*Chair Hillers called for Elections of Officers for 2015:*

*Commissioner Krug nominated Jeffrey Wallin as Chair and Scott Yonkman as Vice-chair, Commissioner Havens seconded. Commissioner Hillers moved to close the nominations. Chair Hillers called for a vote; motion carried unanimously.*

**MINUTES**

November 18, 2014

*Commissioner Enell moved to approve the minutes as written, Commissioner Munson seconded, motion carried unanimously.*

January 27, 2015

*Commissioner Krug moved to approve the minutes as written, Commissioner Havens seconded, motion carried unanimously.*

Dave Wechner wished to have the record reflect Commissioner Yonkman’s arrival.

February 23, 2015

*Commissioner Enell moved to approve the minutes as written, Commissioner Krug seconded, motion carried unanimously.*

Planning staff present: Dave Wechner – Director, Planning and Community Development, Brad Johnson – Long Range Planner, Amanda Almgren – Long Ranger Planner

## **ITEMS FROM THE PUBLIC**

*Garrett Newkirk, 170 N. Frostadt Road, Oak Harbor*

He urged the Planning Commission to revisit and add the APZ to the docket. As the Comprehensive Plan is being updated this is the best time to readdress this issue and Island County Residents can voice their opinion on this issue and their concerns that is hindering their use of the land, their habitation of the land and homes with zero regard for the current residents health, safety and quality of life. As originally these citizens had no say or input on this APZ zoning that was forced in by the Navy and the County and no approval from County residents. The only reason that was given by Island County Departments for not including property owners on this APZ zoning issue was a lack of funding and was burdensome (to) the County Planning Department and the County Commissioners.

*Lou Malzone, 5428 Pleasant View Lane, Freeland*

Freeland Sewer/Water District Commissioner wanted to bring the Planning Commission up to date from the last meeting. They have entered into a contract to purchase a piece of property to site their sewer treatment plant and infiltration. They will be having a meeting of the Water District and probably move to start the testing of that property, so that within the next 60 days they will know what the capacity of it is and whether they will move forward and close the sale. He encourages the Chamber of Commerce members to attend the public meeting the Planning Department will have on February 17<sup>th</sup> and also review the information on the Countywide Planning Policies and everything that is on their website, it is not up to date.

*Michael Davolio- City of Langley, PO Box 366, Langley*

He introduced himself as the new Director of Community Planning for the City of Langley and thanked the staff for being so helpful and attending their Planning Advisory Board meeting and providing the basics on where Island County was with the planning process in going over the Countywide Planning Policies with their Board.

## **Director's Report-**

Dave Wechner e-mailed the update for February.

- Rules of Procedures - discussion and adoption at a future date.
- Public meeting schedule- take comments and give a brief run down FEMA discussion related to the new maps. Andy Griffin is unable to attend due to Brighton Beach landslides.
- New staff member presentations - Hiller West - Planning Manager, responsible for reviewing applications, code interpretation, streamlining process. Darren Wyss - Long Range Planner, he will be processing the Public Benefit Rating Systems (PBRs) and contributing to the Comp Plan Update.

## **NEW BUSINESS –**

### **FEMA discussion related to the new maps-**

Commissioner Hillers asked Michael Davolio with the City of Langley to please speak on the subject if he has any comments.

Mr. Davolio did discuss how the update is affecting the Langley jurisdiction.

Dave Wechner stated the FEMA maps received were in draft form. The original timeline to go to public meetings was March/April, and now they inform us May or June. There were several corrections put together and sent to FEMA. The landforms are part of how they calculate where the flood waters go in a coastal flooding environment. He stated additional information will be submitted to FEMA. When preliminary maps are ready the public can see how it affects their properties. There is a link to the STARR / FEMA Region 10 website and he will forward the information to the Planning Commission

Commissioner Munson asked when the FEMA maps were last updated.

Staff responded that the maps are updated in panels and has been quite a while.

Commissioner Hillers asked if the maps will be electronic GIS type.

Staff stated the maps will be electronic.

### **Presentation and discussion of the annual review docket.**

Dave Wechner gave an overview of the documents that were previously sent to the Planning Commission. He asked Brad Johnson what will be entailed in getting to the end of Phase I of the proposed work plan. It is not the annual review docket but it is the work program of the Planning Staff and it weighs into the issue of docket versus eight year program.

Brad Johnson stated, as the Planning Commission may recall previously during the adoption of the Public Participation Plan and Preliminary Schedule the work of updating the Comprehensive Plan was divided into two broad phases, Phase I and Phase II. The first phase was essentially a review and analysis phase that would include the public outreach, survey efforts and legal review of the Comprehensive Plan to determine where they were at and identify those portions of the Comprehensive Plan in the Island County Code that needed to be changed. Changes could be legal requirements to comply with the Growth Management Act (GMA) or areas where the Public Participation Plan revealed strong desire to make update or changes. Staff is now getting to the conclusion of Phase I and as part of that effort, the online survey has been instituted. There are a number of public meetings scheduled and distributed surveys to the Planning Commission members, as well as the Board of Commissioners; staff will be taking that information in conjunction with the legal review staff has been doing of the Comp Plan and the regulations and presenting that to both the Planning Commission and the Board of Commissioners in April, laying out what absolutely must be changed in order to comply with the GMA. Items that should be changed based on strong recommendation from staff to avoid problems or address issues that have come up in the past and a third category of optional changes based on responses from the public. Items that the public felt strongly about seeing changed or updated would be programmed in addition to the workload reflected in the 2015 long range planning work plan. The Long Range Planning Work Program actually represents the minimum amount of work that would be required.

Commissioner Enell asked Brad when the Planning Commission will have an opportunity to weigh in on the objectives of Long Range Planning.

Brad Johnson responded that staff is waiting for the mailer to go out and receive results from the mailer. As soon as the mailer that will accompany the Assessor's Annual Statement, this was to cut down on mailing costs. Once the information is collected, staff hopes to present the information by the end of April.

Dave Wechner discussed the memo presented to the Planning Commission as well as the Code Provision 16.26 which lays out the processing criteria for the Annual Review Docket and the Eight-Year Review Cycle, known as the Comprehensive Plan Update which is required by the GMA. Island County is scheduled to complete the eight-year update by June 30<sup>th</sup>, 2016. Planning did not receive any complete applications initiated by an individual with fee by the February 1<sup>st</sup> deadline for annual review. There was a cover letter received specific to zoning code changes for wineries received from Comfort Farm and Wineries addressed to Planning Commissioner Krug and the Board of Commissioners. The documents received did not follow the application procedure, and there was no fee or application form. The documents did include a draft ordinance presumably to be adopted with the proposed code text. The issues addressed by the Comfort Farm are not on the current work plan or docket. Recognizing the intention of Planning Commissioner Krug, as it was her first meeting as a Planning Commissioner when she introduced that item, he proposed to include the proposal for winery definition and development standards on the list of items forward to the Planning Commission for consideration as an Annual Review Docket. The Director and Board are to make a determination by April 1<sup>st</sup> as to the items that are included in the final annual docket or whether items should be moved to the eight year review cycle. The request for recommendation in front of the Planning Commission is to consider the item and whether they feel it should be moved to the Annual Review Docket or moved to the Eight Year Review Cycle. Once a review docket is decided by the Board he is compelled by ICC 16.26.060 to conduct the review of each application and County generate a proposal on the Annual Review Docket and report to the Planning Commission by May 1<sup>st</sup> of each year.

Dave Wechner also stated that the Planning Department does not propose any items to the Annual Review Docket as they wish to include any issues within the Eight Year Review Cycle.

Commissioner Munson asked Dave Wechner to please explain 16.26.090 and the acronyms.

Staff explained the acronyms in 16.26.090.

Commissioner Krug asked for an explanation of the eight year review cycle and explanation of the 2015 deadline.

Dave Wechner explained the eight year review cycle that the GMA requires Comp Plans to be updated in a periodic cycle. He directed the Planning Commission to the Code and procedures.

Further discussion regarding the differences between the Eight Year Review Docket and the Annual Review Docket continued.

Commissioner Enell has a concern regarding the sizing of the Urban Growth Areas (UGAs) and the distribution of the population and growth in cities versus rural areas; would he find out in the docket when it will be addressed?

Dave Wechner answered the sizing of the UGA would be part of the Eight Year Review Cycle, not the Annual Review Docket.

Brad Johnson clarified between the Comp Plan Update currently being worked on and the docket. In previous years there has not been anything on the docket because it was the understanding of the Board and the Planning Commission that staff was busy working on the Comp Plan Update. There are two things going on right now, one is the scoping decision by the Planning Commission and the Board on what items to consider through the Comp Plan Update, and the other is whether or not to include additional items in the Planning Department's work load for next year on the Annual Review Docket. The question about the size of Urban Growth Areas is already in the work plan; that was in the Public Participation Plan and Preliminary Schedule and the 2015 draft work plan that the Planning Commission was provided with. The UGA issues would be addressed through the Land Use Element Update which is listed as item 3a.

Commissioner Enell commented the discussion would occur in August.

Discussion regarding the various scenarios regarding UGAs was briefly discussed.

Dave Wechner informed the Planning Commission of the first public meeting that will be occurring. And clarified the annual review would be considered this year.

Chair Hillers said one of the items the Planning Commission would need to decide is whether wineries should be considered for 2015 or the Eight Year Review Cycle. There have been comments just received. She asked if the members of the Planning Commission if they would like to listen to all Public Comments.

Dave Wechner wanted to clarify that any issue that is not on the Annual Review Docket does not mean it will not be discussed. The conversation is not pushed off until next year; the final decision would take place when all of the other decisions are being made about the Comprehensive Plan Update.

Commissioner Yonkman asked if the understanding is that there has not been a proper application submitted.

Amanda Almgren responded there has not been an application submitted that followed the proper guidelines.

Commissioner Krug stated as she understands it, Dave can put it on either option. Just not as an appropriate individual application.

Dave Wechner responded to Commissioner Krug that it is correct.

Commissioner Krug further discussed the submittal of the winery. Either one of the options includes an open hearing and input from the Public. A lot of the comments received were thinking it was just going to slide through and the process would not be open to them. She further stated she has a winery and does not do weddings nor does she care to. So it is not her issue for a lot of things but there are a couple of things. Agro-tourism is becoming very popular and just for wineries from 2008 to 2013 there was 266% increase in revenue which is tax base for the County. Agro-tourism is very important and there was a temporary use permit and is very difficult to have any plans since there is only a temporary permit that is only annually renewed and it was not intended to be on-going like that. There is no definition of a winery, which has caused some conflicts. She read in the letter everyone saw, with the 180t, small recreation and tourism problem with how it defines property on rural agriculture or commercial agriculture, if they are over 10 acres in either of those classifications they fall within the small tourism definition. If they are less than 10 acres they do not fall under that classification.

Commissioner Krug used Ebey's Reserve as a hypothetical example. She encourages the Planning Commissioners to vote this subject into the 2015 annual docket and be decided this year. Either option will have public input and go through vetting and the process. As this gets closer and closer to the Comprehensive Plan being adopted this is becoming a huge issue and would be best to get this solved sooner.

### PUBLIC COMMENT

*Brad Thompson, 1953 Newman Road, Freeland*

He owns a 6 acre farm on Newman Road Northeast of Freeland and is the newest winery on the Island. There are 2 items he would like to discuss:

- Access onto the property ICC 17.030.0180.t.2.f.
- Document crafted by Carl Comfort that goes to great extent to define what a winery is. He thinks it is much more complicated than it needs to be and he would strongly suggest that it not be adopted as it is currently crafted.

*Elizabeth Snyder, 5113 View Road, Langley*

She stated that in reading the proposal that was crafted by Carl Comfort. It is complicated and huge. She lives within 450 feet of the parking lot of the Comfort's winery.

- She finds it frightening that there could be 12 events with 75 guests each.
- 5 events with 150 guests each.
- Unlimited number of winemaker dinners with 50 guests each.
- Unlimited events as long as the guests are no more than the building capacity.
- Outdoor activities having amplified music and voice.
- Unlimited 3 day events with a respite of 1 day in between the 3 day events.

- It makes her home and her sanctuary no longer a sanctuary. She is very concerned about that.
- She would like there to be a lot of public input.
- Would like staff to take time to look at the infrastructure that is going to be affected.

*Mary Walsh, 5170 View Road, Langley*

She wanted to address Commissioner Krug's talk about the agriculture value of land having to be compromised because the road through the Comfort's had to be put in. She quoted the Hearing Examiner.

- Planning Commission is being asked to study a very controversial issue that affects both Islands.
- Writing a new code for wineries and rural event centers deserves really structured opportunities for public input so all sides can be heard.
- She urges this item to be put on the 2016 Review Plan since time is needed.
- She provided a Santa Barbara County process, they held 5 meetings.
- She explained the appeal she went through. She discussed her experience with the appeal.

*Marianne Edain, WEAN –Box 53, Langley*

She stated Ms. Walsh brought up many of the points she wanted to discuss.

- There may be problems with definitions of wineries. They are a relatively new use in Island County. The matter how they fit into the community has not been necessarily thought through in a reasoned manner.
- Needs to be a clear distinct definition between winery and event center. It is not an urban use or industrial use. For a short time it is a very intense use and if many of the events are repeated than it is indeed a long term intense use.
- When people bought or built their homes they did not think something that intense would be next door or across the way. Community compatibility needs to be a huge discussion in any discussion of an event center as opposed to a winery. Some wineries may be appropriate as event centers or an event center may have a winery but the 2 are not one in the same and should not be considered in the same part of code. They should be separated completely; compatibility must be the number one priority.
- The current proposal is big, complicated, it's excessive. It claims to address a small issue but in fact it drags in all manner of things that simply should not be on the table at this time. That specific proposal should be dropped and the issue as an issue be discussed.
- There is a question: since rural event centers are not an agricultural use should it even be allowed on agricultural-zoned land?
- She feels the plate is more than full this year.

*Brad Thompson – Dancing Fish Farm on Newman Road*

He would like to remind the Planning Commission, the rest of Washington wineries regularly have milestone events, weddings, retirement parties, etc, and that is part of their business. It is important that Island County not try and define itself as something other than part of Washington.

*Garrett Newkirk, 170 N Frostad Road, Oak Harbor*

He stated his family has lived for over 100 years in Washington State. As far as he can see the people that are more concerned about a farm are the residents that are near a farm. He knows many farms that have closed down, due to compatibility. Farms have to have value-added product, that is what a wedding is.

- Asked how someone can be denied making a living.
- There are no restrictions on Navy.

*Michael Davolio- City of Langley, PO Box 366, Langley*

He stated about 15 years ago he was hired as a consultant in Island County and he wrote the first Natural Lands Element. He spent a lot of time going throughout the County looking at open space issues and agricultural issues and virtually the only winery at the time was Greenbank Farms and that was in the process of being sold.

- One of the things he did not see was the issue of agricultural tourism. Wineries are virtually the only type of agriculture that attracts tourists.
- There is a lot of complexity, access, impact on neighbors, he is not saying it should not happen; he has a bit of a background in the wine business as well and is familiar with the issues.
- He suggests to the Planning Commission is that they take the time they need because it is a complex issue when mixing agriculture and tourism.

*Pam Schell, 400 1<sup>st</sup> Street, Langley*

She wanted to speak on behalf of the wedding businesses. This does not affect her directly because their inn is very small and when people go to weddings they do not eat in their location. She has been to meetings at Langley, some of the cleanest businesses are wedding planning.

*Carolyn Geise, 7224 S. Maxwellton Road, Clinton*

She has a farm on Maxwellton Road. She sees there are many issues and she would like to speak about them.

- They rent the farm house to people that come on a retreat with their families, they learn about feeding the alpacas, about animals and training, people say this is a wonderful rural environment.
- She discovered very quickly that a wedding of 60 or more people destroys the farm and farm atmosphere. They have clean up, for a very small family wedding it will work. Balance is needed. For a birthday or small celebration, it is natural, need to be careful not to destroy the environment by having large weddings.
- She is very interested in seeing what agro-tourism is and how does that fit in on the Island.

*Vincent Natress, 5574 Bayview Road, Langley*

He grew up in a Coupeville farm. He currently has a permit in for a small rural event center on a farm that he owns in Bayview. He also spent 16 years in Napa working as a chef and a



restaurant owner. He understands quite a bit about the way wineries work with tourism. There are a few things he would like to address.

- There was a comment that rural event centers do not equal agriculture. He disagrees with the comment. In his particular case, he has a 5 acre farm and 3 ½ acre are in row crops specifically because as a value-added product he can have people come and do a cooking class there and they can afford to grow vegetables and serve them to their guests. A 3 acre farm is not going to be selling to Haagen's; it's not going to compete with commodity crops. But agro-tourism in a rural event center provides an added value component that allows farming to exist at this scale. In his case, they have a little farm that borders immediately the Bayview area. This little farm could not continue to be a farm in that setting if it weren't for some economic driver to make that happen. In this particular instance the fact that they can use the code to have a business there that is based on agriculture both preserves agriculture and business. He thinks that understanding the economic multipliers that happen with agro-tourism, where a site like his employs someone to take care of landscaping, employs florists, musicians, photographers and other farms, they buy products from as well. There is a huge multiplier of these dollars many of which are external to Island County and provide employment for local people.
- He raised the question of what is community compatibility; as someone who grew up here and couldn't wait to leave this island, there is a need to think about reasons why an 18 year old would stay on this island.
- There will not be any heavy manufacturing; there is an existing infrastructure of old farms that will evaporate and collapse or find new uses for them. There is no one clamoring to reopen a midsize dairy or farm 68 acres in row crops to sell commodities.
- Discussed the Sherman Farms model and the disappearance of it due to transportation causing them to compete with the central valley.
- In order to preserve the bucolic nature of this island, there is a need to re-imagine what this island will look like and how agriculture can fit into these environments.
- He believes that the model of agro-tourism, the Italian model of agro-tourism and the Napa model of agro-tourism have an important role in the future.
- He encourages the planning code to encourage those functions and would like to see that the interface between the code and the actual implementation between the code and the actual approval process is such that there is a chance in the beginning for people to consider the big picture.
- Dave Wechner was able to assist them in moving forward with their project but in the initial process, they received many responses that their proposal did not fit in the code. Encourage the interface, in the code and approval process there is a chance to see the big picture.
- He was able to meet with Helen Price-Johnson and was able to see the whole picture of their plan and she can say immediately, what they want to do is exactly the long range plan of Island County. It preserves open-space, it provides employment, etc. The code itself is a little deaf to that.
- While wineries are new to the island, there will always be problems or neighbors that do not want this or that in their yard. If the character of the island that he grew up on

starting in the 70's through today, to preserve it, in order to be a better community to Seattle, there needs to be local business infrastructure that provides living wages and encourages farming. There is nothing he knows of that does it more than agro-tourism. Getting through the process, doesn't fit in the code, Helen Price-Johnson said what they are wanting to do would fit into the long range plan, unfortunately the code does not show it. Need to have local business infrastructure that provides living wages.

Chair Hiller remarked that the Planning Commission has the option to say they would like this topic to be on the 2015 docket, which means that the earliest it would be approved is at the end of 2015, or have it be a part of the eight year review and be dealt with the other items to be completed by 2016. She asked the Planning Commission what their wishes are regarding this matter.

Commissioner Saul asked which option would provide the most time to do a good job of reviewing the topic.

Dave Wechner responded to Commissioner Saul stating the eight year review cycle overall Comp Plan Update. It is another six months and it would encompass all of the issues that may occur and ancillary issues that would impact the central issue.

Commissioner Saul stated the topic sounds important, complex and lots of public input; a lot of assertions made to sound like fact that probably are not fact and will take a long time to sift through what are fact from fiction. Whichever of the two options gives the Planning Commission the longer period of time to work on this is where he would lean towards and it sounds like it would be eight year plan.

Commissioner Enell concurred with Commissioner Saul. He believes in what people said but the future of Island County from an economic point of view is to use the tourism and agricultural card and get some mileage out of that. But he sees that it has to be done right, the concerns mentioned, seven nights a week for the use of an agricultural tourism thing is clearly far too much. There have been a couple them in addition to the one on Bayview that have been considered on the south end and they do bring a lot of public opinion and ideas. He is strongly in favor of getting this topic right and making sure it is done so that this form of a business can function well. He agrees in reviewing this item in the eight year review, since it allows more time and public input.

Commissioner Krug proposed as a minimum that a definition of a winery is made and deal with the code conflict on the 2015 annual review and do the more comprehensive process in the eight year revolving by June of next year. The way the code is written is confusing.

Commissioner Yonkman agrees with Commissioner Saul and Enell this has to be done right. There are so many things that are poorly planned and do not work out very well. However, economic development and the agro-tourism is key to Island County, it is part of maintaining the character that is on the island. He wonders if the conversation can be kept alive and reach a happy medium to get the definition worked out.

Chair Hillers stated she picture a winery is defined as something separate from a rural event center and if the Planning Commission goes in that direction, it would suggest that a winery is not automatically a rural event center and must submit a separate application to become a rural event center.

Commissioner Yonkman would agree with that if the location supports additional activities that door should be opened. But if it does not and is a little winery that is tucked into a neighborhood or situation that just cannot tolerate more traffic, it should be denied. There needs to be versatility in the code.

Dave Wechner offered a staff response about permitting a winery. He and Mr. Thompson have had many conversations in getting his winery application permitted. He asked Mr. Thompson what his zone was and he responded it was Rural. His property is Rural, a five acre minimum, there is no listing of winery as an allowed use. In the development code, if the use is not specifically listed in the prescriptive list of uses that are permitted within a zone, there is a process called a Zoning Code Interpretation (ZCI) and make that use be on the list. There is also a definition of agriculture and agricultural processing and that is how wineries are looked at now. Even though there isn't a specific definition of winery as a permitted, conditional or prohibited use, they are treated as an agriculture use in an agricultural processing. Agricultural processing does not include rural events. The Board of Commissioners recognized that and hence the temporary event policy came along to capture that aspect of what some wineries wanted to do. Even though winery is missing from the list of defined uses in the code, essentially there have been several of them permitted under the general type I – agricultural use and agricultural processing. Commissioner Krug pointed out the conflict is in the Commercial Agricultural zone, it is listed on the list of prescriptive uses. It is listed as a type I, but then in the small scale recreation and tourist use portion of the code there are additional standard that are listed for wineries that are listed for wineries that are over ten acres in size in the commercial ag zone. There is a large winery in a commercial agricultural zone listed as small scale recreation and tourist and that has posed some limitations for some wineries. There are several wineries on the island as well as one on Camano and right now they are being permitted as agricultural use and processing.

Commissioner Krug responded that the only problem is winery; the conflict of whether it includes a tasting room or not has been an issue as well.

Director Wechner replied to Commissioner Krug's comment stating there was an administrative policy addressing that matter. Tasting rooms are permitted up to 750 square feet, which is the small assembly use in the building code.

Commissioner Yonkman asked staff if it was put in the eight year cycle when would the topic be brought up again.

Commissioner Krug responded it would be decided by June of next year if the process was started now.

Brad Johnson clarified if it was reviewed in the eight year cycle it would be part of the ongoing Comprehensive Plan Update discussion and the decision on the entire Comp Plan update would be made in June of 2016.

Commissioner Enell asked staff for clarification regarding current code there can be an exception for a winery that is not in the commercial ag.

Dave Wechner responded it was not an exception; it is defined as an agricultural use with processing. What makes a winery over 10 acres in size in the commercial ag zone only a different animal than the rest of the wineries is that they are classified as small scale recreational tourist use.

Chair Hillers asked if it was something that can be cleaned up in the eight year cycle.

Dave reminded the Planning Commission there are other options available to them. If the Board of Commissioners agrees this is an either annual docket item or an eight year review cycle item, the Planning Commission can make a recommendation or be directed by the Board to create a subcommittee to talk about agro-tourism, wineries, or all of the issues that are being heard and some of the circumstances heard today. Subcommittees generally do add some time to the process but they are a way for the Planning Commission to focus on particular subsets of issues that may garner that kind of attention.

Commissioner Hiller asked if it would be a subcommittee among the Planning Commission members.

Dave Wechner described what a subcommittee is and the membership structure.

Further discussion regarding the process and purpose of subcommittee continued.

*Commissioner Enell moved to recommend to the Board of Commissioners to add this issue to the 8 year review cycle and request staff to set up a subcommittee to further look at agro-tourism and get knowledge on it from the people that are affected by it, Commissioner Saul seconded, motion carried unanimously.*

Dave Wechner responded he would take the recommendation to the Board for their approval.

Brad Johnson added since the Planning Commission has voted to move this item to the eight year cycle, there are a host of other rural issues, issues with agriculture and rural compatibility. In the public outreach strategies, staff had listed the notion to put together technical advisory groups. There is already precedence for this process and staff can bring it to the attention of the Board when they make the decision on the scope of the Comp Plan Update.

### **Public Hearing and deliberation on the Countywide Planning Policies**

Chair Hillers stated the hearing related to the Countywide Planning Policies.

Brad Johnson stated this is a continuation of the discussion from the previous meeting and a presentation was given then and would answer any questions from the Planning Commission members.

Chair Hillers said Planning Commission has had the Countywide Planning Policies documents for a while and seen several drafts and perhaps they are ready for public input.

## PUBLIC COMMENT

*Lou Malzone, 5428 Pleasant View Lane, Freeland*  
Freeland Sewer/Water District Commissioner

He has addressed the Planning Commission a couple of times about Freeland's role and their participation in this and he supports the Countywide Planning Policies as they are written. He encourages them to endorse the changes.

Commissioner Havens asked Mr. Malzone if there is enough water in Freeland to supply quality water to the residents. Since Mr. Malzone has only discussed the sewer issue he wanted to know more regarding water in the Freeland area.

Mr. Malzone responded they have been working with Doug Kelly the County Hydrologist because there was a fuel release there and they now have a very good understanding of the way the groundwater moves from underneath and around Freeland. They have been assured by the County hydrologist there is adequate water.

*Marianne Edain – WEAN, Box 53, Langley*

- She works with the City of Langley and in that role they have been trying to figure out the relationship between the city and its Joint Planning Area(JPA) and what if any, powers the city might have on what happens in the Joint Planning Area. The planning advisory board has expressed a good deal of concern about what controls happen in the JPA. They thought they had a certain amount of control in the Urban Growth Area (UGA) until someone did a clear cut outside of town and discovered Island County has no authority in that matter, it was DNR. Department of Natural Resources (DNR) does not care. The setting of Langley is the forest around it and there has been the perception that they will always have the forest and that clear cut hit everybody and realized that they will not always have the forest and do not have any authority or control over whether that forest remains or not.
- She would like clarification on what kinds of cooperation and influence the city can have on what happens in Joint Planning Areas.

Chair Hillers asked Ms. Edain if she is looking for this information to be in the document or input from staff.

Ms. Edain responded she is not asking staff to do this right off the cuff but she would like some discussion on the topic.

- Langley's new planning director has decided he would like to change the UGA boundary. They all assumed the discussion was about a more reduced UGA for Langley, given that Langley is severely over platted. He is suddenly talking about expanding the UGA and she is taken aback by this. This calls for a huge revision.
- She is pleased with the designation of areas of long-term rural significance. She thinks it is a great idea.

Chair Hillers asked staff if they would like to add anything else.

Brad Johnson addressed the issue with the Langley UGA. There have been posting a number of meetings with Planning Officials from each of the jurisdictions in the County. Ms. Edain is correct, the discussion so far has been about a substantial reduction in the size of Langley's UGA, and that is still the discussion. At the last meeting between the jurisdictions, Mr. Davolio was exploring the possibility of still going about a massive reduction of Langley's UGA but there was a number of parcels immediately adjacent to current UGA that are served with the city's water system and are already platted that are between rural and urban densities. He had been working with his Planning Advisory Board on the topic and was very clear that it was just his suggestion at that point, not an official position of the city.

Chair Hillers asked if this is not a part of the update being done now, and the maps are not finalized.

Brad Johnson responded the maps are not but it would be affected by the decisions made regarding the Countywide Planning Policies because there are policies that dictate where UGAs are located and how large they will be. The new criteria establishes a UGA should not be larger than necessary to accommodate a 20 year supply of land for housing and economic growth. That comes from the Growth Management Act, what is different is that there is a very specific method in measuring that. If the reduction still met the criteria and there is some criteria, areas that are provided with city services not being excluded from the UGA. It is a possibility but it was a very small area, not an expansion. Those decisions have not been made and will not be made until September or August.

Commissioner Saul asked staff if there are any foreseen UGA expansions.

Brad Johnson responded under the Buildable Lands Analysis that has been adopted and the status quo projections, (in other words) if the balance between urban and growth occurs in each one of the planning areas as it has occurred over the last 30 years, staff is not projecting an expansion during this update cycle. What has not been tested is what would happen if they went with a significant increase in the percentage of growth occurring within UGAs. The shift from rural areas to urban areas, if it continues to grow as it has been they do not see a growth.

Amanda Almgren added she ran the numbers, if there was a 20% shift in the population growth from rural to urban in the north planning area, there would be a potential need for a UGA expansion of Oak Harbor. In the 10% scenario that was used to study, there would not be. She planned on making clear during the trade-offs, in order to make it happen there will be regulations or other trade-offs that need to occur.

Commissioner Krug asked about the expansion on the base. They already know what numbers. She asked if their numbers fit in with the 10%.

Amanda Almgren stated the population projections included expansion of the base. Then there was a calculation about the number of people that live on the base versus the city. The 10% is just based on the population because some number of base populations will live within the city or the rural areas. It does not directly affect the analysis; it is just people coming to the area.

Brad Johnson stated there was a population projection. What is being discussed with the shift is whether or not in the North Whidbey planning area 80% of the growth will occur in the City of Oak Harbor's UGA and 20% in the rural areas or if the shift is 90% in UGA versus a 10% in rural areas. When the Planning Commission makes a decision on whether or not there should be a shift from the status quo to that increase it would mean a combination of more enabling policies within the UGA and more restrictive policies in rural area. The question before the Planning Commission is whether or not it would be acceptable for Island County.

Commissioner Enell stated in the south end the growth in rural areas is 79%, where the population growth in the UGAs and the cities is only 19%. In his mind they are way off the mark of what should be done according to the Growth Management Plan which emphasis to save the open lands and put the population growth in more densely populated areas. He is surprised Langley would expand their JPA when they only have 21 houses in the next 20 years.

Brad Johnson commented this was a very preliminary discussion. He does not want to suggest that this is a proposal at this point. There was discussion at the planning advisory board for the City of Langley but it is just an informal idea as they talk about rearranging the boundaries at this point.

Lou Malzone asked to speak to the Planning Commission.

Chair Hillers acknowledged him.

Mr. Malzone wanted to stress the issue about the population shift from rural to urban, when that is done the stress winds up on the people that provide the infrastructure. He believes they have enough capacity in the study area that Amanda (Almgren) has already done to accommodate more growth that is allocated by the Office of Financial Management. He asks that before the Planning Commission arbitrarily says the UGA may not be big enough; please take a look at the capacity in the UGA. Freeland has already gone through two iterations of trying to put infrastructure in and as soon as it starts to grow, it becomes impossible to find property; they can't afford an outfall. What is presented is a good balance now.

Commissioner Enell asked Mr. Malzone, if the 20 year projection for Freeland is 61 housing units and they put in the sewer they are proposing, can it handle the increase?

Lou Malzone said they are able to accommodate 61 new houses in phase I. There is an adequate space even within the reduced UGA size Amanda (Almgren) has proposed. The GMA says not to plan the infrastructure if they do not have the probability of the population coming in. He can't fund it so therefore they are not compliant with the GMA and they over-planned.

Commissioner Enell was asking for an estimate of how many housing units could be accommodated in phase I.

Mr. Malzone responded there are limiting factors. 30% of the property in phase I is undeveloped and he does not know how many housing units people are planning for and what the capacity is of the property they are about to buy. He believes it will handle all of phase I for the land use definitions that currently exist in the Freeland Subarea Plan. He does not know right off what the number is, but he knows it is over 61 units.

Amanda Almgren added the study boundaries are not actually proposed and the decision will be made later down the road. She wanted to clarify it is a study area and not a proposal. There may be a disconnect in the discussion, what is being discussed is not new people coming, the total amount of growth that is expected in the south end of the island, just shifting it from rural to urban centers the entire growth for the south area is so relatively small in absolute numbers it may at most be between 61 housing units and 120 housing units.

Brad Johnson said it this is one discussion, there can be more questions with infrastructure at the other end, while there could be shift of growth to a UGA there may be consequences or not. Those will all have to be factors brought to the table once the decision is being made as part of the growth shift in the UGA over the status quo.

Chair Hillers asked the Planning Commission if there are suggested changes or approval of recommendation to go to the board.

Brad Johnson made a brief comment about the process about adopting the Countywide Planning Policies. Unlike many of the issues that are brought to the Planning Commission this may not be the last time they will see the Countywide Planning Policies because staff is working with each of the other jurisdictions to get this through their respective approval processes. It could well be that when they go before their planning commissions or elected officials there may be changes suggested and then they would be brought back and perhaps make revisions before they are finally adopted. The recommendation staff is asking for from the Planning Commission is to advance this to the Board to get a resolution to the Board in support of the Countywide Planning Policies with the recognition they continue to work with the other jurisdictions before setting an adoption date for this document. There may be changes to accommodate the needs of the other jurisdictions proposed even after this action is taken.



Chair Hillers asked if it would still be appropriate for the Planning Commission to take a vote on whether to send their recommendations to the Board including the Findings of Fact.

Brad Johnson responded to Chair Hillers that she was correct, including any changes the Planning Commission may suggest.

Commissioner Enell thinks there should be a figure that allocates growth in UGA versus rural. He agrees with Brad it is something that will be analyzed in the future because if that figure is nailed down, the County can take steps to make it happen. He would think if the Growth Management Act (requires it) perhaps they should. He wants to go on record to say he thinks a figure needs to be arrived at when the time comes in August because the purpose of the Growth Management Act is to achieve the goals of that act since it is a very important thing. That figure will be given numerical accuracy perhaps down the road when the question is studied.

Chair Hillers asked Commissioner Enell if he is suggesting adding it in the current document.

Commissioner Enell responded to Chair Hillers that he did not think so.

Commissioner Saul stated he is not as familiar with the materials to make a motion.

Commissioner Enell said the population growth occurring in the UGAs and cities is increased from the current trends as identified.

Brad Johnson addressed Commissioner Enell: there is a policy in the Countywide Planning Policies, the goal of the County and the municipalities to increase the percentage of growth occurring in the UGAs during each planning period. How the increase comes about needs to be determined on a periodic basis. The hazard in putting a number in right now is that a discussion about what the consequences of setting that number are. If it were 20% now, does that mean when a periodic update is done, are they essentially obligated to a further 20% or is a 20% over the 20 year period.

Commissioner Enell stated the only reason he keeps raising the issue in the way of explanation is that he was involved in the 1998 Comp Plan Update and that was a very big goal for them and they have not accomplished that goal. They have gone backwards from the projections they had then.

Brad Johnson responded staff understands that and realize the goals that were set in 1998, he thinks that should not cause everyone to question whether or not setting a goal is sufficient; or, sit down and make the hard choices about what would need to happen to bring the goal about.

Chair Hillers discussed with the Planning Commission the Findings of Fact. She asked Brad (Johnson) if the conclusion as she read them is the correct wording they should be prepared to sign.

Brad Johnson responded the adoption process for this is very difficult because it is not spelled out in the current Countywide Planning Policies. Through this document staff has been able to prescribe a process next time this is done. If the Planning Commission were to recommend the Countywide Planning Policies, staff would then go to the Board of Commissioners and ask for a resolution stating the Board supports the Countywide Planning Policies as proposed and intends to adopt them by a date barring objections from other jurisdictions or suggested changes. Then if any one of the planning partners were to provide detail suggested changes, those would then be incorporated into a revised document which would then be brought back to the Planning Commission.

*Commissioner Yonkman made the motion to recommend the Countywide Planning Policies Finding and Recommendations to the Board for consideration, Commissioner Havens seconded.*

Commissioner Enell stated if there was comment from the public he would not mind listening to it.

Chair Hillers stated she asked the public if there was further comment. She acknowledged Marianne Edain.

*Marianne Edain, WEAN, Box 53, Langley*

She asked regarding the question on the urban rural split. She said she felt guilty about this one because it was one of the issues they brought before the Growth Management Hearing's Board in 1998 and she has since changed her mind on this. She thinks that GMA looks at the state as a whole and divides the state into counties and says each county must meet these standards. But in fact, Island County is a part of the rural greenbelt around a very large urban area over on the mainland and as such she would like to see an area that is predominantly rural. The way that the mainland counties have that wonderful rural / urban split in spite of their huge population is that they have huge chunks of national forest going on up to the crest of the Cascades. We are just lacking that national forest excuse, split completely and makes it not particularly relevant to this county. What the County is the rural greenbelt around that urban area. She wants very much to see the County remain that rural greenbelt. She feels like that rural / urban split that feels so terribly important is not all that relevant. They don't want to see a whole lot of people moving into the rural area, they do want to see development move into the urban area but going through all kinds of contortions to increase that proportion doesn't seem terribly relevant as long as they maintain the greenbelt persona, as long as that is the basis of what is done in Island County.

*Chair Hillers asked for a vote motion carried unanimously.*

Commissioner Yonkman discussed being elected as vice-chair and he does not feel that it is appropriate to take on extra tasks at this time. He stated he does enjoy being a part of the Planning Commission and contribute where he can. He is trying to process the amount of documents that come through, is a huge job. He wanted to thank Commissioner Hillers for doing a great job. He knows it would be an extra load of work he should not take on under his current circumstances. He wonders if there is someone else that can fill the role as vice chair.

*Commissioner Havens nominated Commissioner Enell as Vice Chair, Commissioner Yonkman seconded, motion carried unanimously.*

*Chair Hillers called for a motion to adjourn, Commissioner Yonkman seconded the motion, motion carried unanimously.*

Meeting adjourned at 4:20 p.m.

Respectfully submitted,

Virginia Shaddy